

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-1-

THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 17, 2009, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Mike Winder

OTHERS PRESENT:

Steve Buhler, Councilmember-Elect
Don Christensen, Councilmember-elect

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Richard Catten, City Attorney
John Evans, Fire Chief
Nicole Cottle, CED Director
Kevin Astill, Parks and Recreation Director
Jim Welch, Finance Director
Layne Morris, Community Preservation Director
Russ Willardson, Public Works Director
Mike Wells, Acting Police Chief
Aaron Crim, Administration
Jake Arslanian, Public Works Department

14746

OPENING CEREMONY

The Opening Ceremony was conducted by Carolynn Burt who showed a video entitled "Russian Tribute to USA" regarding a monument given to America by the

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-2-

people of Russia in honor of those who died during the September 11, 2001 terrorist attacks.

14747 SCOUTS

Mayor Nordfelt welcomed Scout Troop Nos. 9047, 746 and 863 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

14748 EMPLOYEE OF THE MONTH, NOVEMBER 2009 - DON SLICK, FIRE DEPARTMENT

City Manager, Wayne Pyle, stated Don Slick, Fire Department, was scheduled to be recognized as the Employee of the Month for November 2009, however, he was unable to attend the meeting. This item will be rescheduled.

14749 COMMENT PERIOD

Upon inquiry by Mayor Nordfelt there was no one in attendance who desired to address the City Council during the comment period.

14750 RESOLUTION NO. 09-368, APPROVE THE PURCHASE OF 13 VEHICLES FROM TONY DIVINO TOYOTA AS REPLACEMENT VEHICLES FROM THE LIGHT VEHICLE REPLACEMENT LIST

City Manager, Wayne Pyle, presented proposed Resolution No. 09-368 which would approve purchase of 13 vehicles from Tony Divino Toyota, in an amount not to exceed \$365,000.00, as replacement vehicles from the light vehicle replacement list.

Mr. Pyle stated Tony Divino Toyota held the State contract for the subject vehicles. He also stated the Police Department had requested the vehicles to replace 13 vehicles on the vehicle replacement list and determined the subject vehicles best suited the needs of the Department and would be the most efficient vehicles for their intended purposes.

After discussion, Councilmember Brooks moved to approve Resolution No. 09-368, a Resolution Approving the Purchase of 13 Vehicles from Tony Divino Toyota as Replacement Vehicles from the Light Vehicle Replacement List. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-3-

Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14751 **RESOLUTION NO. 09-369, APPROVE THE PURCHASE OF FIVE VEHICLES FROM HENRY DAY FORD AS REPLACEMENT VEHICLES FROM THE LIGHT VEHICLE REPLACEMENT LIST**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-369 which would approve the purchase of five vehicles from Henry Day Ford, in an amount not to exceed \$123,000.00, as replacement vehicles from the Light Vehicle Replacement List.

Mr. Pyle stated Henry Day Ford was within the City limits and had provided quotes for the five vehicles that fell within the 1% over State contract pricing and, therefore, qualified under the West Valley City Purchasing Code under Section 5-2-108 City Provider Preference.

The City Manager reported the Fleet Manager had met with the Department Heads to review needs of each department and determined the vehicles described in the attached list would be the most efficient vehicles for their intended purposes.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-369, a Resolution Approving the Purchase of Five Vehicles from Henry Day Ford as Replacement Vehicles from the Light Vehicle Replacement List. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-4-

14752 **RESOLUTION NO. 09-370, AUTHORIZE THE PURCHASE OF DESKTOP AND LAPTOP COMPUTERS FROM VALCOM COMPUTER CENTER FOR USE BY THE POLICE DEPARTMENT**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-370 which would approve the purchase of desktop and laptop computers from Valcom Computer Center, in the total amount not to exceed \$91,000.00, with four annual payments of \$22,700.00, for use by the Police Department.

Mr. Pyle stated financing would be through the HP Master Lease Purchase Agreement approved in 2006 by Resolution No. 06-04. He further stated the desktop and laptop computers procured through the program would be covered by a “Total Care” package for each computer which would cover costs of repairs needed during the period covered by the Lease Agreement. He indicated each computer would be leased for a period of four years at which point the City would be able to purchase each computer for one dollar. He also advised formal bidding would not be required because the vendor, Valcom, held a contract with the State of Utah.

After discussion, Councilmember Burt moved to approve Resolution No. 09-370, a Resolution Authorizing Purchase of Desktop and Laptop Computers from Valcom Computer Center for use by the Police Department. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14753 **RESOLUTION NO. 09-371, RATIFY THE JOINT JURISDICTIONAL MUTUAL AID MEMORANDUM OF UNDERSTANDING FOR POLICE SERVICES FOR EXPLOSIVE DEVICES AND AUTHORIZE WEST VALLEY CITY TO EXECUTE AMENDMENT NO. 1**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-371 which would ratify the Joint Jurisdictional Mutual Aid Memorandum of Understanding

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-5-

(MOU) for Police Services for Explosive Devices and authorize West Valley City to execute Amendment No. 1.

Mr. Pyle stated the parties desired to amend the original MOU dated September 14, 1999, in order to modify the duration of the MOU and include sections regarding technical training and explosive storage. He advised the MOU was a collaborative effort between the City and Salt Lake City in order to assist in the identification, investigation and the rendering safe of suspected explosive devices found within the two jurisdictions. Each of the parties agreed to make available to each other specialized equipment, manpower (Bomb Technicians), and resources needed for these situations as provided in the MOU. He stated Amendment No. 1 modified the duration of the MOU to allow it to remain in effect until either party withdrew its participation. It also included sections regarding technical training and explosive storage.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-371, a Resolution Ratifying the Joint Jurisdictional Mutual Aid Memorandum of Understanding for Police Services for Explosive Devices and Authorizing West Valley City to Execute Amendment No. 1. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14754

CONVENE AS BOARD OF CANVASSERS FOR THE 2009 MUNICIPAL GENERAL ELECTION HELD NOVEMBER 3, 2009

The City Council convened as the Board of Canvassers for the 2009 Municipal General Election held November 3, 2009.

City Recorder, Sheri McKendrick, distributed a printout that listed the total number of ballots cast, total number of votes received, by candidate, per precinct, and percentage of total votes received by each candidate in the Municipal General

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-6-

Election held November 3, 2009. She also distributed and discussed a proposed Resolution as follows:

Ms. McKendrick stated the City Council was the legislative body for West Valley City and comprised the Board of Municipal Canvassers pursuant to Utah Code 20A-4-301. She also indicated the Code required the Board of Municipal Canvassers to meet to canvass the returns of the Municipal General Election no sooner than seven days and no later than 14 days after the election.

The Board of Canvassers reviewed the canvass report that listed, by voting precinct, the number of votes cast for each candidate, including review of the proposed Resolution.

City Recorder, Sheri McKendrick, answered questions from members of the Board of Canvassers.

ACTION: RESOLUTION NO. 09-372, ACCEPTING AND APPROVING THE RESULTS OF THE MUNICIPAL GENERAL ELECTION HELD NOVEMBER 3, 2009, AS SHOWN ON THE CANVASS REPORT

City Manager, Wayne Pyle, presented proposed Resolution No. 09-372 which would accept and approve the results of the Municipal General Election held November 3, 2009, as shown on the Canvass Report.

After discussion, Councilmember Rushton moved to approve Resolution No. 09-372, a Resolution Accepting and Approving the Results of the Municipal General Election Held November 3, 2009, as Shown on the Canvass Report. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-7-

14755 **APPLICATION NO. S-7-2008, FILED BY ADAM MAHER – RJF ENTERPRISES, INC., REQUESTING FINAL PLAT APPROVAL FOR CABCO 5600 WEST SUBDIVISION LOCATED AT 2514 SOUTH 5600 WEST**

City Manager, Wayne Pyle, presented Application No. S-7-2008, filed by Adam Maher – RJF Enterprises, Inc., requesting final plat approval for Cabco 5600 West Subdivision located at 2514 South 5600 West.

Mr. Pyle stated the subject property was located immediately to the north of the Riter Canal and west of 5600 West. He also stated the proposed subdivision had been requested in order to divide the existing property into two commercial building lots. He advised that Lot 1 consisted of 4.28 acres while Lot 2 would consist of 1.95 acres. As part of the subdivision application, the developer would dedicate 5600 West to its full half width of 53 feet. In addition, the developer had proposed to dedicate a 66-foot right-of-way to serve future frontage road needs for 5600 West and the future Mountain View Corridor. A portion of this road known as Anna Caroline Drive had been constructed as part of the West Valley Pavilion Subdivision to the south. He also indicated the developer would enter into a delay agreement for the improvements to this portion of Anna Caroline Drive.

The City Manager further reported due to the application being a commercial subdivision, many of the staff and agency reviews would be conducted at the conditional use and/or permitted use process. He stated the subdivision plat contained easements and other information applicable to the division of property but did not address site design issues typically found in commercial developments. He indicated the subdivision fell within the 5600 West Overlay Zone and, as such, future commercial and/or industrial uses would be subject to increased development standards.

After discussion, Councilmember Coleman moved to approve Application No. S-7-2008, filed by Adam Maher – RJF Enterprises Inc., and give final plat approval for CABCO 5600 West Subdivision located at 2514 South 5600 West. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-8-

Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14756 **APPLICATION NO. S-14-2009, FILED BY WEST VALLEY CITY, REQUESTING FINAL PLAT APPROVAL FOR PEREZ MINOR SUBDIVISION LOCATED AT 4111 SOUTH 5400 WEST**

City Manager, Wayne Pyle, presented Application No. S-14-2009, filed by West Valley City, requesting final plat approval for Perez Minor Subdivision located at 4111 South 5400 West.

Mr. Pyle stated the Public Works Department had requested preliminary and final plat approval for the subject subdivision as a result of a proposed City sidewalk improvement project along 5400 West. He also advised, as a result of street dedication and the proximity of the existing dwelling, the City made the decision to purchase the property from Dario Perez. At the present time, an existing dwelling was located at the corner of the property but would be demolished. He stated the new lot created would be owned by Mr. Perez.

The City Manager indicated access to the subdivision would be gained from 5400 West. He stated all public improvements would be constructed by the City as part of the improvement project. New lot owners would need to coordinate improvements with Granger-Hunter Improvement District.

Mr. Pyle reported there was an existing irrigation ditch running along the south boundary of Lot 2. He indicated the City would install an irrigation box as well as piping along the south property line of Lot 2 as part of the improvement project. He also stated this matter would be more thoroughly addressed as the improvements project moved along.

The City Manager indicated all provisions for this action would be coordinated between the Public Works Department and the Building Division. He stated the new home placement on this lot would comply with existing City setbacks and building standards.

After discussion, Councilmember Rushton moved to approve Application No. S-14-2009, filed by West Valley City Corporation, and give final plat approval for Perez Minor Subdivision located at 4111 South 5400 West. Councilmember Brooks seconded the motion.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-9-

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14757

CONSENT AGENDA:

- A. **RESOLUTION NO. 09-373, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF D'AN WADSWORTH AS A MEMBER AND CHAIR OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**
City Manager, Wayne Pyle, presented proposed Resolution No. 09-373 which would ratify his reappointment of D'An Wadsworth as a member and chair of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Wadsworth desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

- B. **RESOLUTION NO. 09-374, RATIFY CITY THE MANAGER'S REAPPOINTMENT OF HARLAN BANGERTEER AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**
City Manager, Wayne Pyle, presented proposed Resolution No. 09-374 which would ratify his reappointment of Harlan Bangerter as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Bangerter desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-10-

C. RESOLUTION NO. 09-375, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CAROLYNN BURT AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-375 which would ratify his reappointment of Carolynn Burt as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Burt desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

D. RESOLUTION NO. 09-376, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF MIKE CHRISTENSEN AS MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-376 which would ratify his reappointment of Mike Christensen as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Christensen desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

E. RESOLUTION NO. 09-377, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF PAT RUSHTON AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-377 which would ratify his reappointment of Pat Rushton as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Rushton desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-11-

F. RESOLUTION NO. 09-378, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF NICCI WADSWORTH AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-378 which would ratify his reappointment of Nicci Wadsworth as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Wadsworth desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

G. RESOLUTION NO. 09-379, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF BARBARA WATT AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-379 which would ratify his reappointment of Barbara Watt as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Watt desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

H. RESOLUTION NO. 09-380 – RATIFY THE CITY MANAGER'S REAPPOINTMENT OF RON WATT AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-380 which would ratify his reappointment of Ron Watt as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Watt desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-12-

I. RESOLUTION NO. 09-381, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JEREMY BAILEY AND SELVA BAILEY FOR PROPERTY LOCATED AT 3281 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-381 which would accept a Grant of Temporary Construction Easement from Jeremy Bailey and Selva Bailey for property located at 3281 South Pearce Street.

Mr. Pyle stated Jeremy Bailey and Selva Bailey had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

J. RESOLUTION NO. 09-382, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM NEOMI DYAL FOR PROPERTY LOCATED AT 3193 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-382 which would accept a Grant of Temporary Construction Easement from Neomi Dyal for property located at 3193 South Pearce Street.

Mr. Pyle stated Neomi Dyal had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-13-

K. RESOLUTION NO. 09-383, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ELIAS PADILLA FOR PROPERTY LOCATED AT 3183 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-383 which would accept a Grant of Temporary Construction Easement from Elias Padilla for property located at 3183 South Pearce Street.

Mr. Pyle stated Elias Padilla had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

L. RESOLUTION NO. 09-384, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ELIAS PADILLA CANALEZ AND ELIAS PADILLA FOR PROPERTY LOCATED AT 3223 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-384 which would accept a Grant of Temporary Construction Easement from Elias Padilla Canalez and Elias Padilla for property located at 3223 South Pearce Street.

Mr. Pyle stated Elias Padilla Canalez and Elias Padilla had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-14-

M. RESOLUTION NO. 09-385, ACCEPT A GRANT OF TEMPORARY CONSWTRUCTION EASEMENT FROM RAYMOND M. JAQUIER AND DELORES K. JAQUIER FOR PROPERTY LOCATED AT 3263 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-385 which would accept a Grant of Temporary Construction Easement from Raymond M. Jaquier and Delores K. Jaquier for property located at 3263 South Pearce Street.

Mr. Pyle stated Raymond M. Jaquier and Delores K. Jaquier had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

N. RESOLUTION NO. 09-386, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DEBORAH J. SCHMOCK FOR PROPERTY LOCATED AT 3273 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-386 which would accept a Grant of Temporary Construction Easement from Deborah J. Schmock for property located at 3273 South Pearce Street.

Mr. Pyle stated Deborah J. Schmock had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-15-

O. RESOLUTION NO. 09-387, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MELANIE M. HOOTEN FOR PROPERTY LOCATED AT 3163 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-387 which would accept a Grant of Temporary Construction Easement from Melanie M. Hooten for property located at 3163 South Pearce Street.

Mr. Pyle stated Melanie M. Hooten had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

P. RESOLUTION NO. 09-388, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LISA A. NAYLOR FOR PROPERTY LOCATED AT 3153 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-388 which would accept a Grant of Temporary Construction Easement from Lisa A. Naylor for property located at 3153 South Pearce Street.

Mr. Pyle stated Lisa A. Naylor had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

Q. RESOLUTION NO. 09-389, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DAVID F. COLVIN AND GLADYS COLVIN FOR PROPERTY LOCATED AT 3357 SOUTH PEARCE DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-389 which would accept a Grant of Temporary Construction Easement from

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-16-

David F. Colvin and Gladys Colvin for property located at 3357 South Pearce Drive.

Mr. Pyle stated David F. Colvin and Gladys Colvin had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

R. RESOLUTION NO. 09-390, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ERNEST V. VELASQUEZ FOR PROPERTY LOCATED AT 3347 SOUTH PEARCE DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-390 which would accept a Grant of Temporary Construction Easement from Ernest V. Velasquez for property located at 3347 South Pearce Drive.

Mr. Pyle stated Ernest V. Velasquez had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

S. RESOLUTION NO. 09-391, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DENZA C. FORBES FOR PROPERTY LOCATED AT 3290 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-391 which would accept a Grant of Temporary Construction Easement from Denza C. Forbes for property located at 3290 South Meadowlark Drive.

Mr. Pyle stated Denza C. Forbes had signed the Grant of Temporary Construction Easement.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-17-

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

T. RESOLUTION NO. 09-392, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CARLOS PEREZ-HERNANDEZ AND OSVALDO PEREZ FOR PROPERTY LOCATED AT 3140 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-392 which would accept a Grant of Temporary Construction Easement from Carlos Perez-Hernandez and Osvaldo Perez for property located at 3140 South Meadowlark Drive.

Mr. Pyle stated Carlos Perez-Hernandez and Osvaldo Perez had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

U. RESOLUTION NO. 09-393, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM SHERRY T. AVERETT AND GARY T. AVERETT FOR PROPERTY LOCATED AT 3190 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-393 which would accept a Grant of Temporary Construction Easement from Sherry T. Averett and Gary T. Averett for property located at 3190 South Meadowlark Drive.

Mr. Pyle stated Sherry T. Averett and Gary T. Averett had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-18-

(UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

V. RESOLUTION NO. 09-394, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DAVID L. HOPKINS FOR PROPERTY LOCATED AT 3280 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-394 which would accept a Grant of Temporary Construction Easement from David L. Hopkins for property located at 3280 South Meadowlark Drive.

Mr. Pyle stated David L. Hopkins had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

W. RESOLUTION NO. 09-395, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM RONNIE B. OGDEN AND CLAUDIA L. OGDEN FOR PROPERTY LOCATED AT 3240 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-395 which would accept a Grant of Temporary Construction Easement from Ronnie B. Ogden and Claudia L. Ogden for property located at 3240 South Meadowlark Drive.

Mr. Pyle stated Ronnie B. Ogden and Claudia L. Ogden had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-19-

X. RESOLUTION NO. 09-396, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM GERARDO ADRIAN FRANCO AND MERIANA VERONIC FRANCO FOR PROPERTY LOCATED AT 3304 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-396 which would accept a Grant of Temporary Construction Easement from Gerardo Adrian Franco and Meriana Veronic Franco for property located at 3304 South Meadowlark Drive.

Mr. Pyle stated Gerardo Adrian Franco and Meriana Veronic Franco had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

Y. RESOLUTION NO. 09-397, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ERNESTO M. GUTIERREZ FOR PROPERTY LOCATED AT 3396 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-397 which would accept a Grant of Temporary Construction Easement from Ernesto M. Gutierrez for property located at 3396 South Meadowlark Drive.

Mr. Pyle stated Ernesto M. Gutierrez had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-20-

Z. RESOLUTION NO. 09-398, APPROVE A RIGHT-OF-WAY AGREEMENT WITH ROGER PAUL WATSON AND LISA D. WATSON FOR PROPERTY LOCATED AT 4139 SOUTH 5400 WEST; AND TO ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 5400 WEST SIDEWALK PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 09-398 which would approve a Right-of-Way Agreement with Roger Paul Watson and Lisa D. Watson for property located at 4139 South 5400 West; and to accept a Warranty Deed and Grant of Temporary Construction Easement for the 5400 West Sidewalk Project.

Mr. Pyle stated Roger Paul Watson and Lisa D. Watson had signed the Right-of-Way Agreement, Warranty Deed and Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5400 West Sidewalk Project extending from 4100 South to 4179 South on the east side of 5400 West. He also reported compensation for purchase of the right-of-way and easement would be in the amount of \$8,100.00 and negotiated based on an appraisal by Bodell-Van Drimmelen Commercial Appraisers, Inc.

AA. RESOLUTION NO. 09-399, APPROVE A RIGHT-OF-WAY AGREEMENT WITH ROBERT H. BRYAN AND MELISSA B. BRYAN FOR PROPERTY LOCATED AT 4179 SOUTH 5400 WEST; AND ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 5400 WEST SIDEWALK PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 09-399 which would approve a Right-of-Way Agreement with Robert H. Bryan and Melissa B. Bryan for property located at 4179 South 5400 West; and to accept a Warranty Deed and Grant of Temporary Construction Easement for the 5400 West Sidewalk Project.

Mr. Pyle stated Robert H. Bryan and Melissa B. Bryan had signed the Right-of-Way Agreement, Warranty Deed and Grant of Temporary Construction Easement.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 17, 2009

-21-

The City Manager reported the subject parcel was one of the properties affected by construction of the 5400 West Sidewalk Project extending from 4100 South to 4179 South on the east side of 5400 West. He also reported compensation for purchase of the right-of-way and easement would be in the amount of \$1,502.00 and negotiated based on an appraisal by Bodell-Van Drimmelen Commercial Appraisers, Inc.

After discussion, Councilmember Burt moved to approve Resolution Nos. 09-373, 09-374, 09-375, 09-376, 09-377, 09-378, 09-379, 09-380, 09-381, 09-382, 09-383, 09-384, 09-385, 09-386, 09-387, 09-388, 09-389, 09-390, 09-391, 09-392, 09-393, 09-394, 09-395, 09-396, 09-397, 09-398 and 09-399, as presented on the Consent Agenda. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, NOVEMBER 17, 2009, WAS ADJOURNED AT 6:50 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, November 17, 2009.

Sheri McKendrick, MMC
City Recorder

DRAFT